

Motherwell, 14 April 2005 at 9.30 am.

A Meeting of the **GENERAL PURPOSES (LICENSING) SUB-COMMITTEE**

PRESENT

Councillor Holloway, Convener; Provost Connelly; Councillors Barrie, Gormill, Irvine, McAuley, J. Martin, Saunders and Wallace.

CHAIR

Councillor Holloway (Convener) presided.

IN ATTENDANCE

The Administrative Officer; Head of Legal Services; Chief Solicitor (Licensing), and Principal Solicitor (Licensing).

ALSO IN ATTENDANCE

Superintendent Dillon and Sergeant Fabian, "N" Division, Strathclyde Police.

APOLOGIES

Councillors Chadha, Homer and McKenna.

It was agreed in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, that the public be excluded from the meeting for the following items on the grounds that the business involved the likely disclosure of exempt information as defined in paragraph 6 of Part 1 of Schedule 7A of the Act.

TAXI DRIVER'S LICENCE

(1) NEW APPLICATIONS

1. The Sub-Committee considered applications received for a Taxi Driver's Licence, and resolved as follows, viz:-

Applicant: Campbell Findlay, 31 East Dean Street, Bellshill.

Decided: that consideration be continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of his application.

Applicant: Stephen Francis, 12 Thomson Drive, Airdrie.

Decided: that consideration be continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of his application.

Applicant: Joseph Gorman, 19 Glenfinnan Grove, Stoneways Park, Mossend.

Decided: that consideration be continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of his application.

GENERAL PURPOSES (LICENSING) SUB – 14 April 2005

Applicant: Gregory Heffernan, 108 Tantallion Drive, Coatbridge.

Decided: that consideration be continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of his application.

Applicant: Peter Hynds, 41 Dalveen Quadrant, Sikeside, Coatbridge.

Decided: that consideration be continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of his application.

(2) RENEWAL

2. The Sub-Committee considered an application received for the renewal of a Taxi Driver's Licence, and resolved as follows, viz:-

Applicant: John Greechan, 64 Woodside Crescent, Newmains.

Decided: that consideration be continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of his application.

TAXI DRIVER'S LICENCE AND PRIVATE HIRE CAR LICENCE - RENEWAL

3. The Sub-Committee considered an application received for the renewal of a Taxi Driver's Licence and Private Hire Car Licence, and resolved as follows, viz:-

Applicant: George Cuthbertson, 47 Woodland Way, Kildrum, Cumbernauld.

Decided: that consideration be continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of his application.

PRIVATE HIRE CAR DRIVER'S LICENCE - RENEWAL

4. The Sub-Committee considered an application received for the renewal of a Private Hire Car Driver's Licence, and resolved as follows, viz:-

Applicant: Derek McGeough, 44 Westermavisbank Avenue, Airdrie.

Decided: that consideration be continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of his application.

The Convener exercised his discretion to vary the order of business as hereinafter Minuted.

HEARINGS

(1) TAXI DRIVER'S LICENCE - NEW APPLICATION - DANIEL OATS, 62 CARFIN STREET, NEW STEVENSTON

5. The Head of Legal Services advised (1) that an application (tabled) by Daniel Oats, 62 Carfin Street, New Stevenston, for a Taxi Driver's Licence had been received, and (2) that an objection (tabled) to the application had been received from the Chief Constable, Strathclyde Police.

GENERAL PURPOSES (LICENSING) SUB – 14 April 2005

The Sub-Committee then heard Superintendent Dillon outline the Chief Constable's objection to the application and Daniel Oats' agent, Mr. Costello, J.A. Bryan and Company, Solicitors, speak in support of the application.

Thereafter, the applicant, Mr. Costello and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

The applicant, Mr. Costello, and representatives of the Police were then re-admitted to the meeting.

Decided: that the application by Daniel Oats for a Taxi Driver's Licence be refused.

(2) TAXI DRIVER'S LICENCE - NEW APPLICATION AND PRIVATE HIRE CAR DRIVER'S LICENCE - COMPLAINT - JOSEPH MULHOLLAND, 40 CROFTHHEAD STREET, UDDINGSTON

6. The Head of Legal Services advised (1) that an application (tabled) by Joseph Mulholland, 40 Crofthead Street, Uddingston for a Taxi Driver's Licence had been received, and (2) that a complaint (tabled) had been received from the Chief Constable, Strathclyde Police, relative to the behaviour of Joseph Mulholland in respect of his Private Hire Car Driver's Licence.

The Sub-Committee then heard Superintendent Dillon and Joseph Mulholland speak in respect of the application and complaint.

Thereafter, Joseph Mulholland and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matters.

Joseph Mulholland and representatives of the Police were then re-admitted to the meeting.

The Sub-Committee then heard Superintendent Dillon advise, on behalf of the Chief Constable, that he wished to withdraw the complaint in respect of Joseph Mulholland's Private Hire Car Driver's Licence.

Decided:

- (1) that the application by Joseph Mulholland for a Taxi Driver's Licence be granted for a period of one year, and
- (2) that it be noted that Superintendent Dillon, on behalf of the Chief Constable, had withdrawn the complaint in respect of the Private Hire Car Driver's Licence currently held by Joseph Mulholland.

(3) PRIVATE HIRE CAR DRIVER'S LICENCE - NEW APPLICATION - SAMUEL STEWART, 119 ESPIESIDE CRESCENT, COATBRIDGE

7. The Head of Legal Services advised (1) that an application (tabled) by Samuel Stewart, 119 Espieside Crescent, Coatbridge for a Private Hire Car Driver's Licence had been received, and (2) that an objection (tabled) to the application had been received from the Chief Constable, Strathclyde Police.

The Sub-Committee then heard Superintendent Dillon outline the Chief Constable's objection to the application and Samuel Stewart, and his wife, Mrs. Stewart, speak in respect of the application, together with a letter (tabled) by Mrs Stewart, in support of the application.

Thereafter, the applicant, Mrs. Stewart and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

The applicant, Mrs. Stewart and representatives of the Police were then re-admitted to the meeting.

Decided: that the application by Samuel Stewart for a Private Hire Car Driver's Licence be refused.

(4) PRIVATE HIRE CAR DRIVER'S LICENCE AND PRIVATE HIRE CAR LICENCE - RENEWAL - BRIAN YOUNG, 8 BRIDGEND CRESCENT, HAZELBANK, MOODIESBURN

8. With reference to paragraph 3 of the Minute of the meeting of this Sub-Committee held on 16 December 2004, the Head of Legal Services advised (1) that applications (tabled) by Brian Young, 8 Bridgend Crescent, Hazelbank, Moodiesburn for the renewal of his Private Hire Car Driver's Licence and Private Hire Car Licence had been received, and (2) that an objection (tabled) to the application for the renewal of the Private Hire Car Driver's Licence had been received from the Chief Constable, Strathclyde Police.

The Sub-Committee then heard Superintendent Dillon outline the Chief Constable's objection to the application for the renewal of the Private Hire Car Driver's Licence and Brian Young speak in support of both applications.

Thereafter, the applicant and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

The applicant and representatives of the Police were then re-admitted to the meeting.

Decided: that the applications by Brian Young for the renewal of his Private Hire Car Driver's Licence and Private Hire Car Licence be granted.

(5) TAXI DRIVER'S LICENCE - COMPLAINT - JOHN BENNETT, 17 SUNNYSIDE DRIVE, BARGEDDIE

9. The Head of Legal Services advised (1) that a complaint (tabled) had been received from the Chief Constable, Strathclyde Police, relative to the behaviour of John Bennett, 17 Sunnyside Drive, Bargeddie who currently held a Taxi Driver's Licence, and (2) of the background relative thereto.

The Administrative Officer then indicated that John Bennett was not in attendance.

Thereafter, the Sub-Committee resumed consideration of the matter in John Bennett's absence.

The Sub-Committee then heard Superintendent Dillon outline the Chief Constable's complaint.

Thereafter, representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Representatives of the Police were then re-admitted to the meeting.

Decided:

- (1) that the complaint by the Chief Constable relative to the behaviour of John Bennett be upheld, and
- (2) that the Taxi Driver's Licence currently held by John Bennett be suspended for the unexpired duration of the Licence.

GENERAL PURPOSES (LICENSING) SUB – 14 April 2005

(6) WINDOW CLEANER'S LICENCE - NEW APPLICATION - WILLIAM MARSHALL, 48 GREENMOSS PLACE, MOSSEND, BELLSHILL

10. With reference to paragraph 7 of the Minute of the meeting of this Sub-Committee held on 3 February 2005, the Head of Legal Services advised (1) that an application (tabled) by William Marshall, 48 Greenmoss Place, Mossend, Bellshill for a Window Cleaner's Licence had been received, and (2) that an objection (tabled) to the application had been received from the Chief Constable, Strathclyde Police.

The Administrative Officer then indicated that William Marshall was not in attendance.

Thereafter, the Sub-Committee resumed consideration of the matter in the applicant's absence.

The Sub-Committee then heard Superintendent Dillon outline the Chief Constable's objection to the application.

Thereafter, representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Representatives of the Police were then re-admitted to the meeting.

Decided: that the application by William Marshall for a Window Cleaner's Licence be refused.

(7) STREET TRADER'S LICENCE - COMPLAINT - JOHN ROWAN, 7 RAMSAY PLACE, COATBRIDGE

11. With reference to paragraph 5 of the Minute of the adjourned meeting of this Sub-Committee held on 3 March 2005, the Head of Legal Services advised (1) that a complaint had been received from the local Member and the Council's Licensing Enforcement Officers relative to the behaviour of John Rowan, 7 Ramsay Place, Coatbridge who currently held a Street Trader's Licence for a mobile snack van, and (2) that John Rowan had indicated that he was unable to be in attendance due to a holiday commitment.

Decided: that consideration of the complaint relative to the behaviour of John Rowan be continued to allow John Rowan another opportunity to appear before the Sub-Committee to speak in respect of the complaint.

(8) SECOND HAND DEALER'S LICENCE - NEW APPLICATION - COLIN DYET, 4 NEWARK GATE, ALLANTON, T/A McDADE AND PARTNERS, 69-71 HAMILTON ROAD, MOTHERWELL

12. The Head of Legal Services advised (1) that an application (tabled) by Colin Dyet, 4 Newark Gate, Allanton, t/a McDade and Partners, 69-71 Hamilton Road, Motherwell in respect of the Second Hand Car Sales premises at Autotec Company Limited, Unit 3, Netherton Road, Wishaw, had been received, and (2) that an objection (tabled) to the application had been received from the Chief Constable, Strathclyde Police.

The Administrative Officer then indicated that Colin Dyet was not in attendance.

Thereafter, the Sub-Committee resumed consideration of the matter in the applicant's absence.

The Sub-Committee then heard Superintendent Dillon outline the Chief Constable's objection to the application.

GENERAL PURPOSES (LICENSING) SUB – 14 April 2005

Thereafter, representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Representatives of the Police were then re-admitted to the meeting.

Decided: that the application by Colin Dyet for a Second Hand Dealer's Licence be refused.